

IN THE CIRCUIT COURT FOR WASHINGTON COUNTY, MARYLAND

**TINA M. RIFFE,**  
18335 Breathedsville Road  
Boonsboro, MD 21713,

Plaintiff,

Vs. : CIVIL ACTION NO.:

**WAL-MART STORES EAST, LP.,**  
702 SW 8<sup>th</sup> Street  
Bentonville, AR 72716-0001,

Defendant.

Serve on:  
The Corporation Trust,  
Resident Agent,  
2405 York Road, Suite 201  
Lutherville / Timonium, MD 21093-2264.:

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**COMPLAINT AND DEMAND FOR JURY TRIAL**

Plaintiff, by Bradley J. Reed and Britt · Reed Law Offices, her attorneys, sues Defendant, and states in support:

1. Tina M. Riffe ("Plaintiff") is a resident of Boonsboro, Washington County, Maryland.
2. Wal-Mart Stores East, LP, ("the Defendant") is an Arkansas corporation which does business in Washington County, Maryland, as the owner and operator of the Wal Mart Store #2790 located at 10429 Wal Mart Drive, Hagerstown, Washington County, Maryland ("the Premises").
3. The Premises is improved by a parking lot ("the Parking Lot").

4. The Parking Lot includes a man hole cover which was depressed from the level grade of the Parking Lot and located in a position immediately behind the parking space for vehicles ("the Cover").
5. On the Date of the Occurrence the Plaintiff was a business invitee of the Defendant.
6. On the Date of the Occurrence the Defendant by its custodial agents, employees, or representatives ("the Employee") had knowledge of the condition and location of the Cover.
7. On the Date of the Occurrence the Employee failed to correct and repair the condition and or location of the Cover.
8. On the Date of the Occurrence the Employee failed to warn the Plaintiff that the Cover had not be corrected and or repaired in terms of its location and condition.
9. On the Date of the Occurrence Plaintiff fell as a direct and proximate result of the condition and location of the Cover ("the Accident and or the Occurrence").
10. Plaintiff could not appreciate the danger of the Cover given its location in the parking lot and the depression.
11. Defendant caused the Accident.
12. Plaintiff did not cause or contribute to the Accident.
13. All of the acts and omissions of the Employee as described herein were committed by the Employee as an authorized and disclosed agent of the Defendant who was working within the scope of his or her agency or employment with the Defendant.
14. Defendant owed a duty of care to the Plaintiff to exercise reasonable care to keep the Premises in a safe condition.

15. Defendant knew or should have known of the defective and unsafe condition of the Premises.
16. Defendant breached its duties of care: by failing to keep the Premises including the Parking Lot in a safe condition; by failing to correct and repair the Cover; and by failing to warn the Plaintiff of the hidden dangers of the existence of the Cover.
17. As a direct and proximate result of Defendant's negligence, Plaintiff:
  - (a) sustained injuries to various parts of her body;
  - (b) received medical care and treatment, and may continue to receive medical care and treatment in the future for the injuries sustained in the Accident, and incurred and will incur medical bills as a result thereof;
  - (c) suffered and will continue to suffer permanent pain and emotional trauma;
  - (d) suffered a permanent impairment and disability;
  - (e) sustained permanent scarring associated with the injuries in the Accident;
  - (f) suffered a permanently diminished capacity to enjoy life;
  - (g) incurred a loss of income; a loss of earning capacity; and a loss of life's pursuits in terms of earnings and opportunities; and
  - (h) will continue to suffer other damages, both temporary and permanent.
18. All of the Plaintiff's injuries were directly and solely caused by the negligence of Defendant without any negligence by the Plaintiff.
19. All of the Plaintiff's injuries were directly and solely caused by the negligence of Defendant without any negligence by a third party.

WHEREFORE, Plaintiff sues and demands judgment against Defendant for:

- A. An award of Five Hundred Thousand Dollars (\$500,000.00) in damages;
- B. Trial by jury; and
- C. Such other and further relief as the nature of this cause may require.

BRITT · REED LAW OFFICES

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